

COLE SCHOTZ P.C.
1325 Avenue of the Americas, 19th Floor
New York, New York 10019
Telephone: (212) 752-8000
Facsimile: (212) 752-8393
David R. Hurst
Daniel F.X. Geoghan
Felice R. Yudkin

Counsel to the SunEdison Litigation Trust

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

SUNEDISON, INC., *et al.*,

Reorganized Debtors.¹

SUNEDISON LITIGATION TRUST,

Plaintiff.

– against –

GENERAL ELECTRIC COMPANY,

Defendant.

Chapter 11

Case No. 16-10992 (SMB)

(Jointly Administered)

Adv. Pro. No. 18-01433 (SMB)

¹ The Reorganized Debtors, along with the last four digits of each Reorganized Debtor's tax identification number are: SunEdison, Inc. (5767); SunEdison DG, LLC (N/A); SUNE Wind Holdings, Inc. (2144); SUNE Hawaii Solar Holdings, LLC (0994); First Wind Solar Portfolio, LLC (5014); First Wind California Holdings, LLC (7697); SunEdison Holdings Corporation (8669); SunEdison Utility Holdings, Inc. (6443); SunEdison International, Inc. (4551); SUNE ML 1, LLC (3132); MEMC Pasadena, Inc. (5238); Solaix (1969); SunEdison Contracting, LLC (3819); NVT, LLC (5370); NVT Licenses, LLC (5445); Team-Solar, Inc. (7782); SunEdison Canada, LLC (6287); Enflex Corporation (5515); Fotowatio Renewable Ventures, Inc. (1788); Silver Ridge Power Holdings, LLC (5886); SunEdison International, LLC (1567); Sun Edison LLC (1450); SunEdison Products Singapore Pte. Ltd. (7373); SunEdison Residential Services, LLC (5787); PVT Solar, Inc. (3308); SEV Merger Sub Inc. (N/A); Sunflower Renewable Holdings I, LLC (6273); Blue Sky West Capital, LLC (7962); First Wind Oakfield Portfolio, LLC (3711); First Wind Panhandle Holdings III, LLC (4238); DSP Renewables, LLC (5513); Hancock Renewables Holdings, LLC (N/A); EverStream HoldCo Fund I, LLC (9564); Buckthorn Renewables Holdings, LLC (7616); Greenmountain Wind Holdings, LLC (N/A); Rattlesnake Flat Holdings, LLC (N/A); Somerset Wind Holdings, LLC (N/A); SunE Waiawa Holdings, LLC (9757); SunE Minnesota Holdings, LLC (8926); SunE MN Development Holdings, LLC (5388); and SunE MN Development, LLC (8669). The address of the Reorganized Debtors' corporate headquarters is Two CityPlace Drive, 2nd floor, St. Louis, MO 63141.

**STIPULATION AND ORDER TO REMOVE
COMPLAINT EXHIBIT FROM DOCKET**

Plaintiff SunEdison Litigation Trust (“Plaintiff”) and Defendant General Electric Company (“Defendant”) (collectively, the “Parties”), through their undersigned counsel, hereby stipulate and agree to the withdrawal or removal from the public docket of Exhibit A to Plaintiff’s Adversary Complaint (Dkt. No. 1-1), as follows:

WHEREAS, on April 18, 2018, Plaintiff initiated this adversary proceeding by filing its Adversary Complaint (Dkt. 1) and, appended to the Adversary Complaint as Exhibit A (Dkt. 1-1) is a document alleged to be a contract between Defendant and an entity that, at the time of the contract, was a subsidiary or affiliate of the Debtors in this case;

WHEREAS, Defendant maintains that the contract contains confidential and sensitive business information that is not generally known and is not publicly available and from which Defendant derives significant commercial value and that, for that reason, the contract contains provisions specifically prohibiting disclosure of the contract’s terms and of the contract itself (*see, e.g.*, Dkt. 1-1§ GC 2-13);

WHEREAS, the Defendant has requested and the Plaintiff has agreed that that the contract should not, at this time, be publicly available on the Court’s docket and that Exhibit A should be withdrawn or otherwise removed from the docket;

WHEREAS, the Parties further agree that such withdrawal or removal of Exhibit A would be without prejudice to Plaintiff’s underlying claim and that the withdrawal or removal of the document pursuant to this stipulation would not serve as a basis for any defense by Defendant;

WHEREAS, the Parties state that they are working together on a proposed agreed-upon protective order that would govern the disclosure and filing of confidential information, including Exhibit A and other documents, going forward in this proceeding; and

WHEREAS, the Parties further agree that, if the refiling of Exhibit A is deemed necessary by the Parties or the Court, a redacted copy of the document will be prepared by the Parties for such refiling,

IT IS HEREBY STIPULATED AND AGREED that Exhibit A to the Adversary Complaint (Dkt. 1-1) be withdrawn or otherwise removed from the docket without prejudice to the Plaintiff's rights as set forth herein .

DATED: May 11, 2018

COLE SCHOTZ P.C.

/s/ Daniel F. X. Geoghan
David R. Hurst
Daniel F.X. Geoghan
Felice R. Yudkin
1325 Avenue of the Americas, 19th Floor
New York, NY 10019
Phone: (212) 752-8000
Fax: (212) 752-8393
Counsel for Plaintiff

KING & SPALDING LLP

/s/ Kevin J. O'Brien
Mark M. Maloney
Kevin J. O'Brien
1180 Peachtree St., NE
Atlanta, GA 30309
Phone: (404) 572-2442
Fax: (404) 572-5100
Email: kobrien@kslaw.com
Counsel for Defendant

**The Clerk is hereby DIRECTED to remove from the docket
Exhibit A to the Adversary Complaint, filed as Docket No. 1-1.
SO ORDERED this ____ day of May, 2018 in New York, New York.**

**HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE**